

DEDUCTED FOR EACH ONE-TENTH (1/10TH) OF A POUND THAT THE AVERAGE WEIGHT PER PIG IS 8 POUNDS OR MORE, BUT LESS THAN 11 POUNDS.

9. **BROKERAGE FEE:** IN CONSIDERATION OF COOP'S BROKERAGE SERVICES TO BUYER, AND IN ADDITION TO THE PIG PRICE, BUYER SHALL PAY TO COOP THE FOLLOWING FEE:

A. A BROKERAGE FEE OF \$.75 PER QUALIFYING WEANER PIG PURCHASED PURSUANT TO THIS AGREEMENT, PAYABLE TO COOP BY BUYER AT THE TIME OF DELIVERY OF EACH LOT.

B. COOP SHALL CREDIT AN ESCROW ACCOUNT OWNED BY COOP WITH THE SUM OF \$.50 PER QUALIFYING WEANER PIG UPON WHICH A BROKERAGE FEE OF \$.75 PER QUALIFYING WEANER PIG IS PAID ALL BUYERS TO COOP UNTIL SUCH TIME THAT SAID ESCROW OWNED BY COOP IS EQUAL TO \$10.00 PER HEAD OF QUALIFYING WEANER PIGS WHICH COOP HAS AGREED TO BROKER FOR ALL SELLERS UNDER "OPEN CONTRACTS".

C. AT SUCH TIME THAT COOP HAS ACCUMULATED THE TOTAL SUM OF \$10.00 IN ESCROW PER QUALIFYING WEANER PIG UNDER OPEN CONTRACTS BETWEEN ALL SELLERS OF QUALIFYING WEANER PIGS AND COOP, THEN COOP SHALL REDUCE THE BROKERAGE FEE PAYABLE BY ALL BUYERS TO COOP, UPON WRITTEN NOTICE BY COOP TO ALL BUYERS, TO \$.25 PER QUALIFYING WEANER PIG PURCHASED PURSUANT TO THIS AGREEMENT. NOTICE BY COOP TO ALL BUYERS SHALL BE EFFECTIVE AS OF THE DATE THAT SAID NOTICE IS MAILED BY COOP TO BUYERS AT THEIR LAST KNOWN ADDRESSES TO COOP. THE REDUCED BROKERAGE FEE OF \$.25 PER QUALIFYING WEANER PIG SHALL BE PAYABLE BY BUYER TO COOP UPON DELIVER OF EACH LOT OF QUALIFYING WEANER PIGS TO BUYER. SUCH REDUCED BROKERAGE FEE SHALL BE OFFERED AND NOTICED BY COOP TO ALL BUYERS OF QUALIFYING WEANER PIGS ONLY DURING THE PERIODS OF TIME THAT COOP HAS ACCUMULATED IN SAID ESCROW OWNED BY COOP THE TOTAL SUM OF \$10.00 PER QUALIFYING WEANER PIGS UNDER OPEN CONTRACT WITH COOP. IN THE EVENT THAT SUBSEQUENT TO SAID NOTICE BY COOP TO ALL BUYERS OF A REDUCED BROKERAGE FEE, COOP, FOR WHATEVER REASON, AND IN THE SOLE DISCRETION OF COOP, DETERMINES THAT THE ESCROW OWNED BY COOP IS LESS THAN \$10.00 PER QUALIFYING WEANER PIG UNDER OPEN CONTRACT WITH COOP, THEN THE REDUCED BROKERAGE FEE SHALL TERMINATE UPON NOTICE BY COOP TO ALL BUYERS, AND BUYER SHALL PAY THE ABOVE AGREED BROKERAGE FEE OF \$.75 PER QUALIFYING WEANER PIG DELIVERED BY SELLER TO BUYER UNDER THIS AGREEMENT. NOTICE OF THE TERMINATION OF THE REDUCED BROKERAGE FEE BY COOP TO ALL BUYERS SHALL BE EFFECTIVE UPON THE DATE THAT SUCH WRITTEN NOTICE IS MAILED BY COOP TO BUYERS AT THEIR LAST KNOWN ADDRESSES TO COOP.

D. THE ESCROW FUND HEREIN IDENTIFIED SHALL BE OWNED SOLELY BY COOP, AND NEITHER THE SELLER NOR THE BUYER UNDER THIS AGREEMENT SHALL HAVE ANY RIGHT, TITLE OR INTEREST IN THE SAME. IN THE EVENT THAT COOP INCURS ANY EXPENSE OR LOSS, OF WHATEVER KIND OR NATURE, IN TRANSPORTING, PURCHASING, PAYMENT OF ANY GUARANTY FUNDS TO SELLER, CARING FOR, OR MARKETING ANY QUALIFYING WEANER PIGS UNDER OPEN CONTRACT BETWEEN SELLER AND COOP, COOP SHALL DEFRAY AND PAY SUCH EXPENSES AND DAMAGES FROM THE ESCROW FUND. IF ANY SUCH PAYMENT OF EXPENSES OR DAMAGES SHALL REDUCE THE ESCROW FUND TO LESS THAN \$10.00 PER QUALIFYING WEANER PIG UNDER OPEN CONTRACT BETWEEN ALL SELLERS AND COOP, COOP SHALL GIVE NOTICE AS HEREINABOVE STATED